

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DANIEL W. J. HAWN,

Plaintiff(s),

v.

CLALLAM COUNTY JAIL et al.,

Defendant(s).

CASE NO. 3:24-cv-05310-TL

ORDER

The Court, having reviewed the Report and Recommendation of Judge Theresa L. Fricke, United States Magistrate Judge, having received no objections to the report and recommendation from either party, and having considered the remaining record, does hereby find and ORDERS:

- (1) The Court ADOPTS the Report and Recommendation;¹

¹ There appears to be a typographical error in the Magistrate Judge's Report and Recommendation, Docket No. 29, at page 10. On lines 11–13 of that page, a sentence reads, "There is no genuine dispute of material facts that Defendant Yackan's actions put Plaintiff at substantial risk of suffering serious harm." Having reviewed the record, the Court finds there is no genuine dispute of material fact that Defendant Yackan's actions *did not* put Plaintiff at substantial risk of suffering serious harm, and the the reasons explained in the Recommendation and Report support this finding. *See id.* at 8–10. Subject to this clarification, the Court adopts the Report and Recommendation in full.

- (2) Defendants' summary judgment motion is GRANTED in part and DENIED in part;
 - (3) Plaintiff's claims against Sheriff King, Fourteenth Amendment claims for inadequate medical care against the individual defendants, First Amendment claim against Defendant Morgan, and all claims against Clallam County are DISMISSED with prejudice; and
 - (4) Defendant McCann's summary judgment motion on Plaintiff's First Amendment claim is DENIED.
 - (5) The parties shall submit a joint filing within 21 days of this order informing the Court of their availability for trial between January and April of 2027 and discussing the possibility for settlement of this matter, including whether the parties would like to request a magistrate judge to facilitate a settlement conference.

Dated this 11th day of June 2025.


Tana Lin
United States District Judge